



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/711,369	11/10/2000	Babak Rezvani	COR185-150117-4	6817

21831 7590 03/04/2005

STEINBERG & RASKIN, P.C.
1140 AVENUE OF THE AMERICAS, 15th FLOOR
NEW YORK, NY 10036-5803

EXAMINER

KE, PENG

ART UNIT	PAPER NUMBER
----------	--------------

2174

DATE MAILED: 03/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/711,369

Applicant(s)

REZVANI ET AL.

Examiner

Peng Ke

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 October 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

This action is responsive to communications: Amendment, filed on 1/2/04.

Claims 1-40 are pending in this application. Claims 1, 38, 39, and 40 are independent claims. In the Amendment, filed on 1/2/04, claims 1, 16, 38, 39, and 40 were amended.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-13, 16, 17, 21, 22, 30, 31, 34-37, 39, and 40 are rejected under 35 U.S.C. 102(e) as being anticipated by Humpleman et al. (US 6,603,488).

As per claim 1, Humpleman et al. teaches a customizable presentation environment of a service broker system for interactive monitoring and control of data to and from computers and/or internet enabled devices of a client/server safety system over the internet, the environment (fig. 5A, item 402) comprising:

an interactive presentation of data from a client-side of the system having a plurality of object placeholders, each for holding a presentable object or a presentable reference to an object (fig. 6, items 506, 504; col. 14, lines 11-20);

Art Unit: 2174

each placeholder having a resource for selecting the presentable object or reference held therein and a resource for selecting the placeholder (col. 11, line 1-21); and

a data store on the server-side of the system for storing the presentable objects from the client-side, the presentable objects being linked to indicate the relationship between the objects (col. 12, line 50-56);

wherein the arrangement of the presentable objects, references, or both within the placeholders at least in part to the manner in which the presented objects and references are linked on the client-side of the system (fig. 7, item 606).

As per claim 2, Humpleman et al. teaches the environment set forth in claim 1, wherein the interactive presentation is an electronic interface (col. 23, lines 8-13).

As per claim 3, Humpleman et al. teaches the environment set forth in claim 2, wherein the interface is selected from group consisting of visual displays, auditory displays, tactile displays, digital devices or agents, and combinations thereof (col. 2, lines 52-68).

As per claim 4, Humpleman et al. teaches the environment set forth in claim 1, wherein the interactive presentation is an output device (col. 2, lines 52-68).

As per claim 5, Humpleman et al. teaches the environment set forth in claim 1, wherein the interactive presentation is an input device (col. 2, lines 52-68).

As per claim 6, Humpleman et al. teaches the environment set forth in claim 1, wherein the interface is automatically adaptable as an input or output device (col. 8, lines 52-58).

As per claim 7, Humpleman et al. teaches the environment set forth in claim 1, wherein the interactive presentation has at least one spatial dimension (fig. 10, item 706).

As per claim 8, Humpleman et al. teaches the environment set forth in claim 1, wherein the interactive presentation is a video display (col. 16, lines 12- 19, fig. 10, item 706).

As per claim 9, Humpleman et al. teaches the environment set forth in claim 8, further teaches wherein the video display is a web page (col. 5, lines 13-44).

As per claim 10, Humpleman et al et al. teaches the environment according to claim 1, wherein the presentable objects are digital pictures or icons (fig. 6, items 506, 504)).

As per claim 11, Humpleman et al. teaches the customizable environment according to claim 1, wherein the means for selecting the presentable object or reference field therein is a selection box (fig. 11, item 708).

As per claim 12, Humpleman et al. teaches the environment according to claim 1, wherein the means for selecting the placeholder is a selection bar (fig 11, item 708).

As per claim 13, Humpleman et al. teaches the environment set forth in claim 1, further comprising a database for storing the links between references or objects (col. 12, lines 51-56).

As per claim 16, Humpleman et al. teaches the environment according to claim 2, wherein the presentable environment is viewable over the internet(col. 4, lines 31-48).

As per claim 17, Humpleman et al. teaches the environment set forth in claim 16, further comprising a web server and wherein the display is part of a web page on the web server (col. 5, lines 34-42)

As per claim 21, Humpleman et al. teaches the environment set forth in claim 8, wherein the video display is a web page (col. 4, lines 31-48).

As per claim 22, Humpleman et al. teaches the environment set forth in claim 21, wherein the presentable objects are digital pictures or icons (fig. 5, items 506, 504).

Art Unit: 2174

As per claim 30, which is dependent on claim 22, it is of the same scope as claim 12 (see rejection above).

As per claim 31, Humpleman et al. teaches the environment set forth in claim 22, wherein the means for selecting the placeholder is a selection bar (fig 14, item 354).

As per claim 34, which is dependent on claim 22, it is of the same scope as claim 4. (see rejection above)

As per claim 35, which is dependent on claim 22, it is of the same scope as claim 5. (see rejection above)

As per claim 36, which is dependent on claim 22, it is of the same scope as claim 6. (see rejection above).

As per claim 37, which is dependent 22, it is of the same scope as claim 7. (see rejection above)

As per claim 39, it is rejected with same rationale as claim 1. (see rejection above)

As per claim 40, it is rejected with same rationale as claim 1. (see rejection above)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 18, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Humpleman et al. (US 6,603,488) in view of Gagnon et al. (US 6,522,342).

As per claim 18, Humpleman et al. teaches the environment according to claim 1. However he fails to teach the environment further comprising a means for selecting a last position of the interactive presentation. Gagnon teaches an environment comprising a means for selecting a last position of the interactive presentation (col. 19, lines 9-34). It would have been obvious to an artisan at the time of the invention to include Gagnon et al.'s teaching with Humpleman et al.'s environment in order to display previously viewed programs or videos.

As per claim 19, Humpleman et al. teaches and Gagnon teaches the environment according to claim 18. Gagnon further teaches wherein the means for selecting the last interactive presentation position is a selection bar (Fig. 14, item 354).

Claims 14, 15, and 23-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Humpleman et al. (US 6,603,488) in view of Pollack et al. (US 6,578,025).

As per claim 14, Humpleman et al. teaches the environment according to claim 1.

However Humpleman fails to teach wherein the links between presentable objects are stored in a doubly-linked list. Pollack et al. teaches using doubly-linked list to store data (col. 10, lines 60-68; col. 11, lines 1-8). It would have been obvious to an artisan at the time of the invention to include Pollack et al.'s teaching with Humpleman et al.'s environment in order to minimize the search time for the selected object.

As per claim 15, Humpleman et al and Pollack et al. teach the environment according to claim 14. Pollack wherein each presentable object in the doubly-linked list has a pointer that refers to each of the presentable objects adjacent thereto (col. 10, lines 60-68; col. 11, lines 1-8).

As per claim 23, Humpleman et al. teaches the environment according to claim 22. However he fails to teach wherein the presentable objects are stored in a doubly-linked list. Pollack et al. teaches using doubly-linked list to store data (col. 10, lines 60-68; col. 11, lines 1-8). It would have been obvious to an artisan at the time of the invention to include Pollack et al.'s teaching with environment of Humpleman et al. in order to minimize search time for the selected object.

As per claim 24, Humpleman et al. and Pollack et al. teach the environment according to claim 23. Pollack further teaches wherein each presentable object in the doubly-linked list has a pointer that refers to each of the presentable objects adjacent thereto (col. 10, lines 60-68; col. 11, lines 1-8).

As per claim 25, Humpleman et al. and Pollack et al. teach the environment according to claim 24. Humpleman further teaches wherein the presentable environment is viewable over the global computer network (col. 4, lines 31-48).

Art Unit: 2174

As per claim 26, Humpleman et al. and Pollack et al. teach the environment according to claim 25. Humpleman further teaches comprising a web server and wherein the display is part of a web page on the web server (col. 5, lines 34-42).

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Humpleman et al. (US 6,603,488) in view Boreczky et al. (US 6,366,296).

As per claim 20, Humpleman et al. teaches the environment according to claim 1. However he fails to teach wherein the selecting means comprises an aural, oral, visual, electrical, mechanical, optical, or digital selector. Boreczky et al. teaches an environment wherein the selecting means comprises an aural, oral, visual, electrical, mechanical, optical, or digital selector (fig1. items 1, 2, 3, 4, 5-1, 5-2, 5-3, 6-1, 6-2, 6-3, 7, 11). It would have been obvious to an artisan at the time of the invention to include Boreczky et al.'s teaching with environment of Humpleman et al. in order to provide the user with the ability to modify the video.

Claims 27, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Humpleman et al. (US 6,603,488) in view of Pollack et al. (US 6,578,025) further in view of Gagnon et al. (US 6,522,342).

As per claim 27, Humpleman et al. and Pollack et al. teach the environment according to claim 26. However he fails to teach the environment further comprising a means for selecting a last position of the interactive presentation. Gagnon teaches an environment comprising a means for selecting a last position of the interactive presentation (col. 19, lines 9-34). It would have been obvious to an artisan at the time of the invention to include Gagnon et al.'s teaching with environment of Humpleman et al. and Pollack in order to display previously viewed programs or videos.

Art Unit: 2174

As per claim 28, Humpleman et al., Gagnon et al., and Pollack et al. teach the customizable environment according to claim 27. Gagnon et al. further teaches wherein the means for selecting the last interactive presentation position is a selection bar (Fig. 14, item 354).

Claims 29, 32 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Humpleman et al. (US 6,603,488) in view of Gagnon et al. (US 6,522,342) further in view of Pollack et al. (US 6,578,025) further in view of Boreczky et al. (US 6,366,296).

As per claim 29, Humpleman et al., Gagnon et al., and Pollack et al. teach the customizable environment according to claim 28. However they fail to teach wherein the selecting means comprises an aural, oral, visual, electrical, mechanical, optical, or digital selector. Boreczky et al. teaches an environment wherein the selecting means comprises an aural, oral, visual, electrical, mechanical, optical, or digital selector (fig1. items 1, 2, 3, 4, 5-1, 5-2, 5-3, 6-1, 6-2, 6-3, 7, 11). It would have been obvious to an artisan at the time of the invention to include Boreczky et al.'s teaching with environment of Humpleman et al., Gagnon et al., and Pollack in order to provide the user with the ability to modify the video.

As per claim 32, it is of the same scope as claim 29. (see rejection above)

As per claim 33, it is of the same scope as claim 29. (see rejection above)

Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over Humpleman et al. (US 6,603,488) in view of Boreczky et al. (US 6,366,296) further in view of Pollack et al. (US 6,578,025).

As per claim 38, Humpleman et al. teaches a customizable presentation environment of a service broker system for interactive monitoring and control of data to and from computer and/or

internet enabled devices of a client/server system for safety application over a global computer network, the environment comprising:

An interactive presentation of data from a client-side of the system having a plurality of object placeholders each for holding a presentable object or a presentable reference to an object, the interactive presentation being a video display of a web page and the presentable objects being digital pictures or icons (col. 5, lines 2-42);

each placeholder having a resource for selecting the presentable object or reference held herein and a resource for selecting the placeholder (fig 7, items 604 and 602);

a data store on the server side of the system for storing the presentable object from the client-side, wherein the arrangement of the presentable objects, reference (col. 2, lines 52-68), or both within the placeholders corresponds at least in part to the manner in which the presented objects and reference are linked on the client-side of the system, and the presentable environment is viewable over the internet (col. 4, lines 31-48, col. 20, lines 64-col. 21 ,lines 8).

However he fails to teach the resource for selecting the presentable object or reference being a selection box and comprising an aural, oral, visual, electrical, mechanical, optical, or digital selector, and the resource for selecting the place holder being a selection bar and comprising an aural, oral, visual, electrical, mechanical, optical, or digital selector;

A web server wherein the display is part of a web page on the server (col. 5, lines 34-42);
and

Boreczky et al. teaches an environment wherein the selecting means comprises an aural, oral, visual, electrical, mechanical, optical, or digital selector (fig1. items 1, 2, 3, 4, 5-1, 5-2, 5-3, 6-1, 6-2, 6-3, 7, 11). It would have been obvious to an artisan at the time of the invention to

Art Unit: 2174

include Boreczky et al.'s teaching with environment of Humpleman et al in order to provide the user with the ability to modify the video.

However they both fail to teach storing the data in a double linked list.

Pollack et al. teaches using doubly-linked list to store data (col. 10, lines 60-68; col. 11, lines 1-8). It would have been obvious to an artisan at the time of the invention to include Pollack et al.'s teaching with environment of Pollack and Humpleman in order to minimize the search time for the selected object.

Response to Argument

Applicant's arguments filed on 10/18/04 have been fully considered but they are not persuasive.

Applicant argues that Humpleman et al. fails to teach providing interactive control of computers and devices remotely over the Internet.

Examiner disagrees. In response to applicant's arguments, the recitation "Internet" has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

Further Humpleman et al. further teaches providing interactive control of computers and devices remotely over the Internet. (col. 20, lines 64-col. 21, lines 8)

Contract Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peng Ke whose telephone number is (571) 272-4062. The examiner can normally be reached on M-Th and Alternate Fridays 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Peng Ke

A handwritten signature in black ink, appearing to be 'Peng Ke', with a long horizontal stroke extending to the right.